IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12042 of 2004

Between:

1.Parimi Venkata Krishna Rao S/o Ganga Raju , Occ.Agriculturist, R/o Surapuvar Gudem, Buttaigudem Mandal, W.G.District
2.Parimi Soma Raju S/o Ganga Raju , Occ.Agriculturist, R/o Surapuvar Gudem, Buttaigudem Mandal, W.G.District
3.Parimi Venkata Rao S/o Ganga Raju , Occ.Agriculturist, R/o Surapuvar Gudem, Buttaigudem Mandal, W.G.District
4.Parimi Rambabu S/o Ganga Raju , Occ.Agriculturist, R/o Surapuvar Gudem, Buttaigudem Mandal, W.G.District

..... PETITIONERS

AND

1 The District Collector, West Godavari District At Eluru
2 The Revenue Divisional Officer, Jangareddy Gudem, W.G.District
3 The Superintendent of Police, Eluru, W.G.District
4 The Station House Officer, Buttaigudem West Godavari District.
rep. By its Sub Inspector of Police
5 The Mandal Revenue Officer Buttaigudem, West Godavari District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to Declare the action of the respondents in not taking any action against the petitioners representations /complaints dt. 17/06/2004, 18/06/2004, 19/06/2004, 21/06/2004 for giving protection from the trespassers to the petitioners' land in S.No.274 in an extent of 5.39 Hectors, 277/1 to an extent of 4.08 Hectors and 277/3 to an extent of 0.56 Hectors 278/1, 278/3 situated at Buttaigudem Mandal,

W.G.District and to the declare the same as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents 3 and 4 to give protection to the petitioner's families and properties as mentioned above and pass necessary order or orders.

Counsel for the Petitioner: MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondent Nos.1, 2 & 5: GP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.3 & 4: G.P. FOR HOME

The Court made the following:

ORDER:

This writ petition is filed by the petitioners aggrieved by the action of the respondents in not taking any action on their complaints/representations.

2. According to the petitioners, they are non-tribals, the tribals are interfering with their possession and not allowing them to carry on their agricultural operations. Therefore, the petitioners made complaints to the fourth respondent-Station House Officer to give protection to their lands of an extent of 5.39 hectors in Survey No.274, 4.08 hectors in Survey No.277/1 and 0.56 hectors in Survey No.277/3 situated at Surapuvarigudem, Buttaigudem Mandal, West Godavari District, from the trespassers from being trespassed into their lands. But, however, the fourth respondent did not take any action, therefore, the petitioners have come up with the present writ petition.

3. It is stated that the petitioners have made complaints on 17.06.2004, 18.06.2004, 19.06.2004 and 21.06.2004 for giving protection.

4. Heard the learned counsel for the petitioner, the learned Government Pleader for Social Welfare and the learned Government Pleader for Home.

5. In view of the fact that the petitioners have made complaints against the alleged trespassers, who are stated to be the tribals of that area, the fourth respondent is directed to take appropriate action on the complaints/representations of the petitioners and provide

protection from the tribals from being trespassed into the petitioners' lands.

6. Accordingly, the writ petition is disposed of. No costs.

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14.07.2004

VGB

To

1 The District Collector, West Godavari District At Eluru
2 The Revenue Divisional Officer, Jangareddy Gudem, W.G.District
3 The Superintendent of Police, Eluru, W.G.District
4 The Station House Officer, Buttaigudem West Godavari District.
rep. By its Sub Inspector of Police
5 The Mandal Revenue Officer Buttaigudem, West Godavari District

6 2CCs to the Govt. Pleader for Social Welfare, High Court Buildings, Hyderabad (OUT)

7 2CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT)

8 2CD copies